

## Brian Rubino

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**From:** Staples, Shane F CIV USARMY CESAW (USA) <Shane.F.Staples@usace.army.mil>  
**Sent:** Friday, October 27, 2023 3:15 PM  
**To:** Brian Rubino  
**Subject:** SAW-2023-02056 (6195 N Croatan Hwy / Southern Shores / Dare County)  
**Attachments:** SAW-2023-02056-Delineation Map.pdf

Brian,

Reference is made to ORM ID SAW-2023-02056, please reference this number on any correspondence regarding this action.

On October 27, 2023 the subject property was reviewed using desktop tools including GIS and aerial imagery to determine the extent of the potential waters on the site.

We have reviewed the information provided by you concerning the aquatic resources, and by copy of this e-mail, are confirming that the aquatic resources delineation has been verified by the Corps to be a sufficiently accurate and reliable representation of the location and extent of aquatic resources within the identified review area. The location and extent of these aquatic resources are shown on the delineation map, labeled Wetland Delineation Exhibit: 6195 N Croatan Hwy, Ginguite, LLC and dated 10/18/23.

Regulatory Guidance Letter (RGL) 16-01

<https://usace.contentdm.oclc.org/utis/getfile/collection/p16021coll9/id/1256> provides guidance for Jurisdictional Determinations (JD) and states “The Corps generally does not issue a JD of any type where no JD has been requested”. At this time, we are only verifying the delineation. This delineation may be relied upon for use in the permit evaluation process, including determining compensatory mitigation. “This verification does not address nor include any consideration for geographic jurisdiction on aquatic resources and shall not be interpreted as such. This delineation verification is not an Approved Jurisdictional Determination (AJD) and is not an appealable action under the Regulatory Program Administrative Appeal Process (33 CFR Part 331). However, you may request an AJD, which is an appealable action.

If you wish to receive a Preliminary Jurisdictional Determination (PJD), or an Approved Jurisdictional Determination (AJD) please respond accordingly, otherwise nothing further is required and we will not provide any additional documentation.

The delineation included herein has been conducted to identify the location and extent of the aquatic resource boundaries and/or the jurisdictional status of aquatic resources for purposes of the Clean Water Act for the particular site identified in this request. This delineation may not be valid for the Wetland Conservation Provisions of the Food Security Act of 1985, as amended. If you or your tenant are USDA program participants, or anticipate participation in USDA programs, you should discuss the applicability of a certified wetland determination with the local USDA service center, prior to starting work.

Sincerely,  
Shane

**Shane F. Staples**

*Regulatory Specialist, Washington Regulatory Field Office*

*US Army Corps of Engineers, Wilmington District*

*2407 W 5th Street, Washington NC 27889*

*Office: 910-251-4609*

*Cell: 252-723-4658*



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 8466 Caratoke Hwy, Powells Point, NC 27966  
 Phone: (252) 491-8147  
 90 Church St., Ste. B, Black Mountain, NC 28711  
 administrator@quible.com

THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.

<b>WETLAND DELINEATION EXHIBIT</b>	
<b>6195 N CROATAN HWY GINGUITE, LLC</b>	
SOUTHERN SHORES	DARE COUNTY
NORTH CAROLINA	
0	70
GRAPHIC SCALE IN FEET 1" = 70'	

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PROJECT	<b>P14064</b>
DRAWN BY	<b>JTM</b>
CHECKED BY	<b>BDR</b>
DATE	<b>10/18/23</b>